



NAUGATUCK VALLEY COUNCIL of GOVERNMENTS

49 Leavenworth Street, 3rd Floor, Waterbury, CT 06702 · 203-757-0535 · 203-735-8688 · nvcogct.org

MINUTES

Naugatuck Valley Council of Governments

and

Central Naugatuck Valley MPO

NVCOG Conference Room

49 Leavenworth St., 3rd Floor

Waterbury, CT

10 a.m., Friday, December 8, 2017

NVCOG Representatives: Sheila O'Malley, Alternate, Ansonia; Chris Bielik, First Selectman, Beacon Falls; Len Assard, First Selectman, Bethlehem; Ellen Zoppo-Sassu, Mayor, Bob Flanagan, Alternate, Bristol; Jerry Sitko, Alternate, Cheshire; Rich Dziekan, Mayor, Derby; Ed St. John, First Selectman, Middlebury; Pete Hess, Mayor, Naugatuck; George Temple, First Selectman, Oxford; David Merchant, Mayor, Plymouth; Kurt Miller, First Selectman, Seymour; Mark Lauretti, Mayor, Shelton; John Monteleone, Alternate, Southbury; Ed Mone, First Selectman, Thomaston; Neil O'Leary, Mayor, Waterbury; Tom Dunn, Mayor, Wolcott; Mary Ellen Edwards, Alternate, Woodbury.

Guests/Other: Judy Mancini, City of Waterbury; Chuck Boulier, Brian Amero, United Way of Greater Waterbury; Dan Morley, OPM; April Chapman, Kennedy Center; Ellen Graham, Senator Richard Blumenthal's Office; Mack Demac, Congresswoman Elizabeth Esty's Office; members of the public.

Staff: Rick Dunne, Mark Nielsen, Aaron Budris, Joanna Rogalski, Glenda Prentiss, Trish Bauer, Lauren Rizzo, Christian Meyer, John DiCarlo, Max-Tanguay-Colucci, Karen Svetz, Bill Leverage, Ben Muller.

1. **Commencement of Meeting (Pledge of Allegiance, Roll Call, Public Comment)**

Chairman Neil O'Leary called the meeting to order at 10:03 a.m. Those in attendance recited the Pledge of Allegiance and the roll was called. There was no public comment.

Mayor O'Leary requested that Agenda Item 5 "Appointment of a Three Member Nominating Committee to Recommend a Slate of Four Officers and Five At-Large Members of the Executive Committee" be moved to the top of the agenda. On a motion by Ed Mone, seconded by Tom Dunn, it was unanimously

VOTED: To move Agenda Item 5 to the top of the agenda.

2. **Appointment of a Three Member Nominating Committee to Recommend a Slate of Four Officers and Five At-Large Members of the Executive Committee**

Chairman O'Leary reported that Bob Chatfield asked to be appointed to the nominating committee and then opened up discussion. It was agreed that the nominating committee would have four members instead of three and would consist of Bob Chatfield, Tom Dunn, Kurt Miller, and Ed St. John. On a motion by Ed Mone, seconded by Chris Bielik, it was unanimously

VOTED: To appoint Mayor Chatfield, Mayor Dunn, First Selectman Miller, and First Selectman St. John to the Nominating Committee.

Following this item, Chuck Boulier, CEO of Ion Bank and United Way of Greater Waterbury's 2017 Campaign Chairman, gave a presentation on the campaign's progress, outlined United Way's community efforts, and encouraged those in attendance to volunteer and contribute.

In the temporary absence of Chairman O’Leary, Treasurer Tom Dunn assumed Chair duties.

3. **CNVMPO Activities** (*Voting members for these items are limited to the 15 CEOs in the CNVMPO area*)
 - a. *Self-Certification* – Mark Nielsen explained that NVCOG is required each year by CTDOT to certify that its transportation planning process is conducted in accordance with the regulations promulgated by the US Department of Transportation by preparing a Unified Planning Work Program, preparing, maintaining and amending the endorsed Transportation Improvement Program (TIP), preparing and updating the endorsed Metropolitan Transportation Plan (MTP), assessing the air quality impacts of the proposed transportation improvement projects included in the TIP and MTP, and proactively involving the public in the metropolitan transportation planning process. On a motion by Chris Bielik, seconded by Pete Hess, it was unanimously

VOTED: To approve CNVMPO Resolution 2018-02.

Chairman O’Leary resumed Chair duties.

- b. *Endorsement of Safety Performance Measures* – Mr. Nielsen said that back in October, USDOT had asked the MPOs to establish and use a performance-based approach to transportation decision making to support national goals in the areas of safety, infrastructure condition, congestion reduction, system reliability, freight movement and economic vitality, environmental sustainability, and reduced project delivery delays. The Safety Performance Management Measures regulation supports the Highway Safety Improvement Program (HSIP) and requires State Departments of Transportation and MPOs to set HSIP targets for five safety performance measures that cover all public roadways regardless of ownership or functional classification. CTDOT, upon review of the 5-year rolling averages for each measure, has determined that the targets will be maintained for the current five year moving average. On a motion by Ed Mone, seconded by Tom Dunn, it was unanimously

VOTED: To approve CNVMPO Resolution 2018-03.

On a motion by Ed Mone, seconded by Chris Bielik, it was unanimously

VOTED: To move ahead on the agenda to Item 8 “Discussion with OPM Re: Public Act 01-158, Town Fiscal Disparities.”

4. **Discussion with OPM Re: Public Act 01-158, Town Fiscal Disparities**

Executive Director Rick Dunne invited Dan Morley from OPM, who represents the governor and secretary on this matter, to the table. As background, Mr. Dunne explained that a fiscal disparities act was passed in 2001. Through research of old Council of Governments of the Central Naugatuck Valley records, it was discovered that this had occurred before with regard to the City of Waterbury. The fiscal disparities act involves a disparity of four criteria between a city and the rest of the region.

Dan Morley said OPM had sent notice of fiscal disparities to three COGs in the state. He said OPM wants to hear suggestions from municipalities and COGs as to where the executive branch should be going with its policies, and if there are statutory issues that should be addressed, whether with this particular statute or others. According to the statute, by December 31 any municipality, acting through the COG, should submit recommendations to OPM, and then within the next year OPM would assist with an implementation plan.

Mr. Dunne said this act had been triggered in 2001, and COGCNV had created a fiscal disparities committee that produced a report and recommendations. In his opinion the statute is difficult because it is not prescriptive, it states that the mayors, through their Council of Governments, shall produce a plan to cure the disparities between one city and the rest of the region. Recommendations from 2001 included consideration of regionalization of services of benefit to multiple towns, higher state reimbursement, and encouragement of the use of regional asset districts.

Mayor O’Leary said the message to OPM, and to the General Assembly in particular, to cure such disparities should be that municipalities will continue to fight against, and the state should repeal, unfunded mandates, pass binding arbitration reform, and to have more influence through COGs and CCM in the governor’s office, OPM, and the legislature. He also said there should be some statutory language that allows municipalities to participate in regionalization by enacting a change in labor laws that allows the municipalities to do so. Ed St. John said regionalization will not work unless there is some relaxation in roadblocks caused by labor laws.

Mayor Dunn inquired if it would be appropriate to authorize the Executive Director to take recommendations from everyone over the phone and compile them into a document for OPM.

Mayor O’Leary suggested that recommendations documented in the latest CCM report might also be utilized and sent to Mr. Morley.

Mayor Lauretti agreed that the CCM report should be used and, for the sake of simplicity, should also include statements to refer to the CCM report for further details.

5. NVCOG Administrative Items

- a. *Approval of the Minutes of the November 17, 2017 CNVMPO & NVCOG Meeting* – On a motion by Tom Dunn, seconded by Kurt Miller, it was unanimously

VOTED: To approve the minutes of the November 17, 2017 CNVMPO & NVCOG meeting.

- b. *Approval of 2018 NVCOG Meeting Schedule* – On a motion by Ed Mone, seconded by Chris Bielik, it was unanimously

VOTED: To approve the 2018 NVCOG meeting schedule.

- c. *Approval of 2018 NVCOG Holiday Schedule* – On a motion by Ed Mone, seconded by Chris Bielik, it was unanimously

VOTED: To approve the 2018 NVCOG holiday schedule.

- d. *Discussion of NVCOG 2018 Budget, per Budget Holdbacks* – Rick Dunne noted that at the November meeting he had reported positively on efforts with the state to keep COG funding at levels needed. Subsequently, he received notice that COGs were being reduced again through the executive branch authority granted under the budget. This cut will amount to approximately 60% of NVCOG’s prior funding. Taken together with the prior CTDOT reductions, this will now total about an 80% reduction in funding. Obviously, this will require changes in the coming year to avoid a deficit, and a revised budget will be brought to the board for approval. NVCOG is still operating under the

default budget. On December 18, there will be an audit committee/executive board meeting, and all members are invited to attend. The main subject will be the 2017 audit.

- e. *Director's Report* – Rick Dunne said earlier in the morning he'd been on a conference call with CTDOT, the commissioner, and other COGs about the special transportation fund. CTDOT's worst case scenario, and pending no change in revenue by the legislature for the special transportation fund, includes: elimination of non-ADA bus subsidies, 15% increase for all bus lines, 15% reduction for transit districts in 2018 and a 50% reduction in 2019 (includes CT Transit), CMAQ money to be appropriated to CTfastrak by the MPOs, and a 5% overall bus service reduction in 2021. On the rail side, system-wide 10% fare increase in 2019, 5% in 2021, and another 5% in 2022. Weekend and off-peak train service to be eliminated on the branches, Shoreline East to be cut by 50%. On the local side, if funding is reduced for the LOTCIP program, it is expected to be reallocated in the future. If any municipality has received a project authorization letter, the LOTCIP funding is there for it. State local bridge projects will be eliminated. The special transportation fund portion of town road aid would also be eliminated. However, on major projects, the I-84-Route 8 interchange bridge projects will go forward. The mixmaster project would be taken off the schedule.

CTDOT says this is a revenue issue in the hands of the legislature. Additionally, CTDOT has said it plans to eliminate (or not fill) 428 positions. The special transportation fund reductions are premised on the need to issue bonds at an appropriate rate to fund projects that are going forward.

Discussion about the impact on municipalities followed.

Chairman O'Leary left for another commitment and Vice Chairman Mark Lauretti ran the rest of the meeting.

6. **Brownfields Items**

- a. *Authorization for Executive Director to Execute Any and All Documents Associated with the CT DECD Municipal Brownfield Grant for the Derby Main Street Project* – For the benefit of the new NVCOG members, Max Tanguay-Colucci provided an update and review of the brownfields program. He then explained that this particular grant had been applied for by the previous City of Derby administration. The proposed resolution gives authorization to proceed. On a motion by Chris Bielick, seconded by Kurt Miller, it was unanimously

VOTED: To approve NVCOG Resolution 2018-05.

7. **Census/LUCA Update**

Rick Dunne said LUCA involves getting each municipality's address list. If the address lists are not submitted, people may not be counted in the census. This is especially important for any new development areas. NVCOG is willing to do the work for any city or town that requests it, all that is needed is a designated liaison. Glenda Prentiss said that while 10 towns have registered, 9 have not. She provided the required paperwork for any CEO, who has not already done so, to sign off to have NVCOG complete the work. Ms. Prentiss will be contacting someone in each municipality for the address lists.

8. **NVCOG Planning/Transportation**

- a. *LOTICIP Status & Update* – Mark Nielsen displayed a chart showing NVCOG LOTICIP programmed spending. By July of 2018, he expects there to be 100% expenditure of NVCOG's allocated funds.

The design phase of five or six projects is nearly complete. They will go through third-party review in preparation to have the projects obligated and go out to bid.

- b. *Open Space Grant Opportunities* – Aaron Budris said there are several open space grant opportunities available. The Open Space and Water Land Acquisition Program and the Urban Green and Community Garden Initiative grants are available through CT DEEP. Applications are due February 1. The USDA is offering an Agricultural Conservation Easement Program grant. Applications for this grant are due February 9. NVCOG can provide assistance in applying for any of these grants.

9. Other

Rick Dunne said several towns had asked about ADA compliant websites. John DiCarlo researched this issue with government officials and it does not appear to be a requirement, but rather aggressive marketing by some Connecticut website designers.

Ben Muller said the Greater Waterbury Transit District (GWTD) would hold a meeting on December 12. The last meeting did not have a quorum and delayed some actions. He encouraged the towns in the GWTD to have their representatives attend.

10. Adjournment

At 11:07 a.m., on a motion by Tom Dunn, seconded by Pete Hess, it was unanimously

VOTED: To adjourn the meeting.

Respectfully submitted by
Lauren Rizzo
Administrative Services Coordinator
for
Ellen Zoppo-Sassu
Acting Secretary



RESOLUTION 2018-02

MPO TRANSPORTATION PLANNING CERTIFICATION CENTRAL NAUGATUCK VALLEY MPO

WHEREAS, the Central Naugatuck Valley MPO has been designated by the Governor of the State of Connecticut as the Metropolitan Planning Organization responsible, together with the State, for the comprehensive, continuing, and cooperative transportation planning process for the Naugatuck Valley planning region; and,

WHEREAS, conducts the transportation planning process in accordance with the regulations promulgated by the US Department of Transportation by preparing a Unified Planning Work Program, preparing, maintaining and amending the endorsed Transportation Improvement Program (TIP), preparing and updating the endorsed Metropolitan Transportation Plan (MTP), assessing the air quality impacts of the proposed transportation improvement projects included in the TIP and MTP, and proactively involving the public in the metropolitan transportation planning process.

NOW, THEREFORE BE IT RESOLVED that Central Naugatuck Valley MPO hereby certifies that the metropolitan transportation planning process is being carried out in accordance with all applicable requirements of:

- (1) 23 U.S.C. 134, 49 U.S.C. 5303, and this subpart;
- (2) In nonattainment and maintenance areas, sections 174 and 176(c) and (d) of the Clean Air Act, as amended (42 U.S.C. 7504, 7506(c) and (d)) and 40 CFR part 93;
- (3) Title VI of the Civil Rights Act of 1964, as amended (42 U.S.C. 2000d-1) and 49 CFR part 21;
- (4) 49 U.S.C. 5332, prohibiting discrimination on the basis of race, color, creed, national origin, sex, or age in employment or business opportunity;
- (5) Section 1101(b) of the FAST Act (Pub. L. 114-357) and 49 CFR part 26 regarding the involvement of disadvantaged business enterprises in DOT funded projects;
- (6) 23 CFR part 230, regarding the implementation of an equal employment opportunity program on Federal and Federal-aid highway construction contracts;
- (7) The provisions of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.) and 49 CFR parts 27, 37, and 38;

(8) The Older Americans Act, as amended (42 U.S.C. 6101), prohibiting discrimination on the basis of age in programs or activities receiving Federal financial assistance;

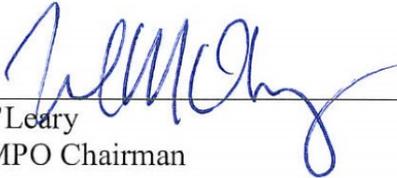
(9) Section 324 of title 23 U.S.C. regarding the prohibition of discrimination based on gender; and

(10) Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794) and 49 CFR part 27 regarding discrimination against individuals with disabilities.

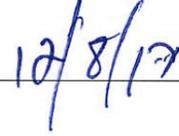
This resolution shall become effective as of December 8, 2017.

I do hereby certify that the resolution adopted by the Central Naugatuck Valley MPO at a public meeting held on December 8, 2017, at which a quorum was present and that the same is a correct and true transcript from the original thereof.

Respectfully submitted,



Neil O'Leary
CNV MPO Chairman



Date



RESOLUTION 2018-03

ENDORSEMENT

TARGETS FOR SAFETY PERFORMANCE MEASURES ESTABLISHED BY THE CONNECTICUT DEPARTMENT OF TRANSPORTATION

WHEREAS, the Central Naugatuck Valley MPO has been designated by the Governor of the State of Connecticut as the Metropolitan Planning Organization responsible, together with the State, for the comprehensive, continuing, and cooperative transportation planning process for the Naugatuck Valley planning region; and,

WHEREAS, the Highway Safety Improvement Program (HSIP) final rule (23 CFR Part 490) requires States to set targets for five safety performance measures by August 31, 2017, and,

WHEREAS, the Connecticut Department of Transportation has established targets for five performance measures based on five year rolling averages for:

- (1) Number of Fatalities,
- (2) Rate of Fatalities per 100 million Vehicle Miles Traveled (VMT),
- (3) Number of Serious Injuries,
- (4) Rate of Serious Injuries per 100 million VMT, and
- (5) Number of Non-Motorized Fatalities and Non-motorized Serious Injuries, and

WHEREAS the CTDOT coordinated the establishment of safety targets with the eight Metropolitan Planning Organizations (MPOs) in Connecticut at the February 22, 2017 Safety Target Setting Coordination and Training Workshop; and at the December 2016 and the April 2017 RPO Coordination meetings; and,

WHEREAS, the CTDOT has officially adopted the safety targets in the Highway Safety Improvement Program annual report dated August 28, 2017, and the Highway Safety Plan dated June 2017; and,

WHEREAS the Central Naugatuck Valley MPO may establish safety targets by agreeing to plan and program projects that contribute toward the accomplishment of the aforementioned State's targets, or establish its own target within 180 days of the State establishing and reporting its safety targets,

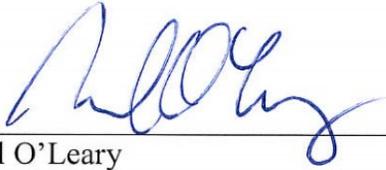
NOW, THEREFORE BE IT RESOLVED that Central Naugatuck Valley MPO has agreed to support CTDOT's 2018 targets for the five safety performance targets as attached herein.

BE IT FURTHER RESOLVED, that Central Naugatuck Valley MPO will plan and program projects that contribute to the accomplishment of said targets.

This resolution shall become effective as of December 8, 2017.

I do hereby certify that the resolution adopted by the Central Naugatuck Valley MPO at a public meeting held on December 8, 2017, at which a quorum was present and that the same is a correct and true transcript from the original thereof.

Respectfully submitted,



Neil O'Leary
CNV MPO Chairman



Date

DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT
STATE OF CONNECTICUT
(AN EQUAL OPPORTUNITY EMPLOYER)
CERTIFIED RESOLUTION OF THE GOVERNING BODY

NVCOG Resolution 2018-05

I, Mayor Neil M. O'Leary , NVCOG Chair , certify that below is a true and correct copy of a
(Name of Official) (Title of Official)

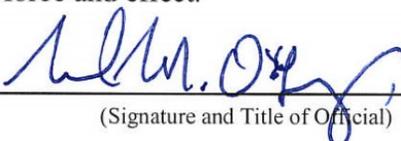
resolution duly adopted by the Naugatuck Valley Council of Governments
(Name of the Applicant)

at a meeting of its Council
(Governing Body)

duly convened on December 8, 2017 and which has not been rescinded or modified in
(Meeting Date)

any way whatsoever and is at present in full force and effect.

12/8/2017
(Date)

 NVCOG Chair
(Signature and Title of Official)

SEAL

WHEREAS, pursuant to CGS Sec. 32-763 ,
(State Statutory Reference)

the Connecticut Department of Economic and Community Development is authorized to extend financial assistance for economic development projects; and **WHEREAS**, it is desirable and in the public interest that the Naugatuck Valley Council of Governments make an application to the State for
(Applicant)

\$ 200,000 in order to undertake the Derby Main Street environmental assessment project
(Name and Phase of Project)

and to execute an Assistance Agreement.

NOW, THEREFORE, BE IT RESOLVED BY THE
Naugatuck Valley Council of Governments

(Governing Body)

1. That it is cognizant of the conditions and prerequisites for the state financial assistance imposed by CGS Sec. 32-763
(State Statutory Reference)

2. That the filing of an application for State financial assistance by The Naugatuck Valley Council of Governments
(Applicant)

in an amount not to exceed \$200,000 is hereby approved and that

NVCOG Executive Director Rick Dunne

(Title and Name of Authorized Official)

is directed to execute and file such application with the Connecticut Department of Economic and Community Development, to provide such additional information, to execute such other documents as may be required, to execute an Assistance Agreement with the State of Connecticut for State financial assistance if such an agreement is offered, to execute any amendments, decisions, and revisions thereto, and to act as the authorized representative of the Naugatuck Valley Council of Governments

(Name of Applicant)